



CS Mexico

Mandatory Standards (NOMs) on Imports

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Date July, 2006
ID: #136984

Summary

Mexico regulates products in a number of areas for health and safety reasons through Normas Oficiales Mexicanas (NOMs). Products subject to NOMs include items such as hazardous materials, pharmaceuticals, some food items, and medical equipment.

Unlike in the United States, where compliance with voluntary and mandatory standards is monitored, primarily through post-entry audits and other methods, the Government of Mexico is moving toward comprehensive border enforcement of all mandatory standards and technical regulations. However, in order for Mexican Customs officials to enforce standards at the border, they must be able to identify goods subject to NOMs by their Harmonized System (HS) tariff classification number. Exporters should note that Mexican Customs might deny entry of any shipment not accompanied by proof of NOM certification. This means that these products must have been tested in Mexico (or in the case of some exceptions, a certified testing facility overseas), found to have complied with the applicable NOM, and granted a certificate attesting to the fact that the product meets the applicable NOM.

Exporters should work closely with their importers and Mexican customs brokers to determine if their products are subject to any NOMs, and if so, to familiarize themselves with the mechanisms for compliance with technical regulations when exporting products to Mexico.

<http://www.economia-noms.gob.mx/>

What is the Mexican Standards System?

Mexico's Federal Law on Metrology and Standardization, which entered into force on July 1, 1992, laid the foundation for the current standardization system. Revisions to the law took effect on August 1, 1997. In accordance with this law, Mexico has introduced a series of new policies on product certification, labeling, marks of compliance, and other requirements pertaining to mandatory Mexican standards. The Direccion General de Normas (DGN) within the Secretariat of Economy is responsible for coordinating Mexico's standards system.

Standards

In general, there are two types of Mexican standards; voluntary, and mandatory. In contrast to the United States, where standards are primarily voluntary, market driven requirements, most technical regulations and product standards issued in Mexico are government mandated. In other words, the Government of Mexico requires conformance as part of a code, rule, or regulation, issued by a government body. An understanding of the difference between voluntary and mandatory standards is essential when exporting to Mexico.

Voluntary Mexican Standards – Normas Mexicanas (NMX)

NMXs are voluntary standards. While the use of NMXs is increasing in Mexico, these types of standards are generally intended for use as references and are not typically demanded by the marketplace as a condition of sale.

Mandatory Mexican Standards – Normas Oficiales Mexicanas (NOM)

NOMs are mandatory technical regulations. All Mexican Government technical regulations, regardless of the ministry that issues them, now have the prefix NOM. If there is a NOM in force for a given good, then all domestic and imported goods must comply.

What is the purpose of the NOM?

Compliance with an applicable NOM guarantees to the consumer that a product has been tested and found to meet the minimum requisite for safety and quality, thereby respecting the health and physical integrity of the consumer. The use of NOMs establishes definitions and terminology, characteristics and qualities, measures and specifications, and testing methods and techniques used to ensure consistency in the certification process when a product, service or process could constitute a risk or harm to human, animal or vegetable health, natural resources, and the overall environment.

There are three categories of NOMs that affect products:

- 1) NOMs devoted solely to commercial information, such as labeling, that must be made available to the consumer;
- 2) NOMs related strictly to product performance and/or safety; and
- 3) NOMs that contain both product performance/safety requirements and product specific labeling requirements.

Testing Procedures for Products Exported to Mexico

Products submitted for testing usually can be grouped into product families. Parameters that define a product family are the product's application, rating and construction. Testing usually involves one test sample of a representative model for each product family. Most testing must be performed in Mexico. However, under special agreement, testing for some product categories can be performed through Underwriters Laboratories (UL) testing facilities in the United States.

Testing Conducted in Mexico

Testing can only take place at laboratories accredited by EMA (Entidad Mexicana de Acreditación). Proof of accreditation from the appropriate certification organization must accompany all test samples sent to Mexico in order to clear customs.

Testing Conducted at UL's US Laboratories

UL has established test data exchange agreements with Mexican laboratories. The agreements allow UL to conduct NOM testing that can be accepted and used to generate a valid NOM Test Report. The test data exchange agreements apply to the following list of product categories:

- Stand-alone telecommunications equipment
- Enclosed switches
- All Information technology equipment
- Ground fault circuit interrupters
- Motor operated household and commercial food preparation machines
- Enclosures for electrical equipment
- Household electric coffee makers and brewing-type appliances
- Panel boards
- Portable tools
- Switchboards
- Fuses
- Contractors and starters
- Molded case circuit breakers
- Buss ways
- Motor control centers

Secretariat of Health

Given the nature and purpose of NOMs, it is no surprise that Mexico's Secretaria de Salud (Secretariat of Health) plays a major role in many NOMs. Pharmaceuticals, some food products, medical equipment and supplies, pesticides, fertilizers and other products containing toxic substances are subject to a prior authorization requirement by the Secretariat of Health before products may be imported.

Other food products, cosmetics, alcoholic beverages, toiletries and any other products that do not contain toxic substances, require that a **Notice of Importation** or **Aviso** be made at the time of importation. The notice is made by an authorized Mexican representative through a customs broker at the time of importation. Exporters of these products should work closely with their importers to comply with Secretariat of Health requirements.

A number of other Mexican federal agencies also create NOMs. Here is a summary.

Who Else Issues NOMs?

Among Mexican federal agencies having the greatest impact on environmental, safety and health issues, and as a result create NOMs and NMXs, are the following:

NOMs	NMXs
SECON (Economy)	ANCE (Electrical)
SALUD (Health)	NYCE (Electronics)
STPS (Labor)	ONNCCE (Construction)
SEMARNAT (Environment)	NORMEX (Food Products and Quality Systems)
SENER (Energy)	IMNC (Quality Systems)
SAGAR (Agriculture)	INNTEX (Textiles)
SCT (Communications & Transportation)	CANACERO (Steal)
TUR (Tourism)	
SEDESOL (Social Development)	

Reading NOMs

NOMs are written in a logical and consistent format, typically designated according to the acronym of the federal agency or agencies responsible for their enforcement and the year in which the final version was approved (for example, NOM-041-SEMARNAT-1999). The acronym "ECOL" was used for older versions of SEMARNAT standards, but this designation was officially changed to SEMARNAT in an Agreement published on April 23, 2003.

Below is an example of a NOM, and a guide to how to read it:

Norma Oficial Mexicana	Number of the NOM	Abbreviation for the Government Secretariat issuing the NOM	Year the NOM went into affect
NOM	020	SCFI	1993

Accredited Testing Bodies for NOMs

Mexico's Secretariat of Commerce and Industrial Promotion (SECONI) has accredited the following bodies for conducting official testing and certification for NOMs:

DGN	Metrology & General
ANCE	Electrical
NYCE	Electronic and Tires
CRT	Tequila
ONNCCE	Construction
CALMECAC (NMX)	ISO Management Systems
IMNC (NMX)	ISO Management Systems
NORMEX (NMX)	Foods and ISO Systems
SGS (NMX)	ISO Management Systems

Here is a description of some of the primary accredited testing bodies:

- **Dirección General de Normas (DGN)** - Accredits certification organizations and issues certificates for products where a certification organization does not exist.

- **Asociación Nacional de Normalización y Certificación del Sector Eléctrico (ANCE)** - Responsible for the development and certification of standards for electrical products such as household appliances. This organization is also a nationally accredited product-testing laboratory.

- **Normalización y Certificación Electronica (NYCE)** - Responsible for standards development and certification of electronic products. There is currently no mandatory Mexican Electromagnetic Compatibility (EMC) Testing- the testing of a device or system to function without error in its intended electromagnetic environment, or the evaluation of a device or system for electromagnetic emissions that could interfere with the normal operation of another device or system.

- **Cámara Nacional de la Industria Electrónica, de Telecomunicaciones e Informática (CANIETI)** - Responsible for standards development and testing of electronic products.

The process for amending or developing NOMs in Mexico proceeds as follows:

- The relevant government-recognized national body or other interested party recommends revision or amendment of a current NOM, or development of a new NOM.
- The intention to amend or develop a NOM is noted in the National Standardization Plan for that year. That plan is coordinated by the Direccion General de Normas (DGN) within the Secretariat of Economy (SECON) is responsible for coordinating Mexico's standards system.
- The National Standardization Program (PNN) is the informative and planning tool that lists the subjects to be developed as Official Mexican Norms (NOM's), Mexican Norms (NMX) along every year. The program is comprised with the information coming from the 22 National Standardization Consulting Committees in charge of creating the NOM's, the 35 National Standardization Technical Committees and 6 National Standardization Bodies, they all in charge of designing the NMX's.
- A group consisting of interested parties, including producers, users, government officials and academicians, meet to work on the standard.
- When a draft is complete, it is sent to SECON, which reviews the standard. If the standard requires no further amendment or revision, SECON publishes the draft standard in Mexico's Diario Oficial, the government gazette. Interest parties are given 90 days to comment on the standard.
- SECON receives comments and responds, either individually or collectively.

- The final standard, with all the new changes is published in the Diario Oficial.

More detailed information is available in English through the following link:

<http://www.economia.gob.mx/index.jsp?P=865&NLang=en>

Mexican Standards Translated

English translations of Mexican NOMs are generally unavailable, whether for free or for purchase, from DGN (Dirección General de Normas). UL has English translations of selected Mexican standards published in the journal of the federation, available for purchase.

Statistics and Examples of NOMs

NOM-001-SCFI-1993: "Electronic Apparatus - Household electronic apparatus powered by different sources of electrical energy - Safety requirements and testing methods for type approval." This standard is technically equivalent to the international publication IEC 65 (1985): "Safety requirements for mains-operated electronic and related apparatus for household and similar general use" and its first amendment.

NOM-003-SCFI-2000: "Safety requirements for household appliances and similar electrical devices." This standard is based on the international publication IEC 335 Part 1 (1976): "Safety of household and similar electrical appliances" and its amendments 1, 2, 3 and 4. It also makes references to the following standards:

Section 1: Electrical Components (NMX-J-508-ANCE)

Section 2: Household Electrical Devices (NMX-J-521/1-ANCE)

Section 3: Portable Electrical Motor Tools (NMX-J-524/1-ANCE)

Section 4: Industrial Control and Distribution Equipment (NMX-J-515-ANCE)

Section 5: Luminaries not covered by the standard for luminaries for internal and external use, NOM-064-SCFI-2000 (NOM-J-521/1-ANCE)

NOM-024-SCFI-1998: "Consumer information - Electronic and electrical devices and electrical household appliances - Instructions and warranties for products of Mexican manufacture and imported products." This standard establishes consumer information (instructions, warnings and warranty criteria) which Mexican manufacturers and the importers of electrical and electronic products address to the consumer, as defined in the Federal Law on Consumer Protection, when such products and appliances are marketed on Mexican territory.

Expiration Dates

All NOM certificates have an associated expiration date. If a manufacturer plans to continue to export their product past the expiration date noted on their NOM certificate, the manufacturer must apply to the Mexican organization that issued the certificate and request a renewal. Current policies in Mexico require retesting of a representative sample from the product family covered by the NOM certificate to complete the renewal procedure.

Conclusion

As a rule of thumb, U.S. exporters should contact their importers to determine whether or not the product they are selling is subject to a mandatory standard or NOM, and to make sure that all certifications are complete and up to date. The Spanish-language text of mandatory Mexican standards may be obtained from Mexico's Secretariat of Economy.

For an overview of Mexico's standard procedures, please visit:

<http://www.mac.doc.gov/nafta/9000.htm>

<http://www.economia.gob.mx/index.jsp?P=85&NLang=en>

Sources:

<http://www.nist.gov/>

http://www.aduanas.sat.gob.mx/aduana_mexico/Descargas/Guia_Importacion/GI08_06.pdf

<http://www.mac.doc.gov/NAFTA/9012.htm>

<http://www.economia.gob.mx/?P=144&NLang=en>

http://www.ul-mexico.com/worldwide/en_ulla_worldwide_LatinAmerica_Mexico.aspx

<http://www.ul-mexico.com/worldwide/documents/MexicanCertificationServices.pdf>

<http://mexico.ihs.com/news-06Q2/mex-standards-feb2006.jsp>

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For More Information

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